

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
CURLTEN OTIDUBOR,	:	
	:	S4 19 Cr. 291 (LAP)
Defendant.	:	
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WHEREAS, on or about September 9, 2021, CURLTEN OTIDUBOR (the "Defendant"), among others, was charged in two counts of a six-count Superseding Indictment, S4 19 Cr. 291 (LAP) (the "Indictment"), with conspiracy to commit wire fraud, in violation of Title 18, United States Code, Section 1349 (Count One); and conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h) (Count Two);

WHEREAS, the Indictment included forfeiture allegations as to Counts One and Two of the Indictment;

WHEREAS, the forfeiture allegation as to Count Two of the Indictment sought forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(1) of any and all property, real and personal, involved in the offense charged in Count Two of the Indictment, or any property traceable to such property, including but not limited to a sum of money in United States currency representing the amount of property involved in the offense charged in Count Two of the Indictment;

WHEREAS, on or about March 23, 2022, the Defendant pled guilty to Count Two of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count Two of the Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), a sum of money

in the amount of \$817,465.91, representing the amount of property involved in the offense charged in Count Two of the Indictment;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$817,465.91 in United States currency representing the property involved in the offense charged in Count Two of the Indictment, for which the Defendant is jointly and severally liable with his co-defendants, Oluwaseun Adelekan, Olalekan Daramola, Solomon Aburekhanlen, Gbenga Oyeneyin, Abiola Olajumoke, Temitope Omotayo, Bryan Eadie, Albert Lucas, Ademola Adebogun, Lucas Ologbenla, and Adewole Taylor (collectively, the "Co-defendants"), to the extent forfeiture money judgments are entered against the Co-defendants in this case; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds involved in the offense charged in Count Two of the Indictment cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys, Daniel H. Wolf and Rebecca T. Dell of counsel, and the Defendant, and his counsel, Kristen Santillo, Esq., that:

I. As a result of the offense charged in Count Two of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$817,465.91 in United States currency (the "Money Judgment"), representing the property involved in the offense charged in Count Two of the Indictment, for which the Defendant is jointly and severally liable with the Co-defendants, to the extent forfeiture money judgments are entered against the Co-defendants in this case.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, CURLTEN OTIDUBOR, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: *Rebecca Dell*
DANIEL H. WOLF
REBECCA T. DELL
Assistant United States Attorneys
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2337/2198

04/07/2022

DATE

CURLTEN OTIDUBOR

By: *Curlten Otidubor / S.S.*
CURLTEN OTIDUBOR

4/7/22
DATE

By: *Kristen Santillo*
KRISTEN SANTILLO, ESQ.
Gelber & Santillo PLLC
347 West 36th Street, Suite 805
New York, NY 10018

4/7/22
DATE

SO ORDERED:

Loretta A. Preska
HONORABLE LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

4/7/22
DATE